

1 ANN MILLER RAVEL, County Counsel (S.B. #62139)  
2 MARK F. BERNAL, Deputy County Counsel (S.B. #173923)  
3 OFFICE OF THE COUNTY COUNSEL  
4 70 West Hedding Street, East Wing, Ninth Floor  
5 San Jose, California 95110-1770  
6 Telephone: (408) 299-5900  
7 Facsimile: (408) 292-7240

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Attorneys for Defendant  
COUNTY OF SANTA CLARA

MARK MARTEL (S.B. #147970)  
Attorney At Law  
425 Sherman Ave., #330  
Palo Alto, CA 94306  
Telephone: (650) 470-2650  
Facsimile: (650) 470-2654

Attorney for Plaintiffs  
DWIGHT WATSON, DANIEL FARIAS,  
LAUREN WATSON, and NICOLE  
WATSON

**\*E-FILED - 9/13/07\***

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DWIGHT WATSON, et al.,

No. C06-07767 RMW (RS)

Plaintiffs,

**STIPULATION AND [PROPOSED]  
ORDER FOR PARTIAL DISMISSAL  
WITHOUT PREJUDICE OF  
DEFENDANT COUNTY OF SANTA  
CLARA**

v.

GLENN ALBIN, et al.,

Defendants.

PLAINTIFFS AND DEFENDANT COUNTY OF SANTA CLARA, by and through their  
attorneys of record, hereby stipulate as follows:

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C06-07767 RMW (RS)

1           WHEREAS, Plaintiffs' complaint filed in the above-captioned matter names the County  
2 of Santa Clara ("County") as a Defendant in the First, Fourth, Sixth, Seventh, Eighth, Ninth, and  
3 Tenth Causes of Action;

4           WHEREAS, Plaintiffs' First, Fourth, Sixth, Seventh, Eighth, and Ninth Causes of Action  
5 allege that the County is liable to Plaintiffs for damages suffered as the result of actions and  
6 omissions of members of the Santa Clara County Specialized Enforcement Team ("SCCSET");

7           WHEREAS, the County has presented to Plaintiffs a sworn affidavit attesting to the fact  
8 that the County has no connection with or participation in SCCSET and the actions and omissions  
9 that form the basis of liability for Plaintiffs' First, Fourth, Sixth, Seventh, Eighth, and Ninth  
10 Causes of Action;

11          WHEREAS, Plaintiffs desire to continue prosecuting their Tenth Cause of Action against  
12 the County; and,

13          WHEREAS, Plaintiffs no longer desire to prosecute their First, Fourth, Sixth, Seventh,  
14 Eighth, and Ninth Causes of Action against the County and the County desires to no longer  
15 defend against those Causes of Action, all subject to Plaintiffs retaining the right to reassert in this  
16 litigation any or all of those Causes of Action against the County should they discover facts  
17 providing them with a good faith belief in the right to do so;

18          THEREFORE, Plaintiffs and the County hereby stipulate and request that the Court issue  
19 an Order (a) dismissing the County without prejudice from Plaintiffs' First, Fourth, Sixth,  
20 Seventh, Eighth, and Ninth Causes of Action with each party to bear their own costs and  
21 attorneys' fees, and (b) tolling the statute of limitations for Plaintiffs to bring a cause of action  
22 against the County for causes of action related to the County's involvement in SCCSET's acts and  
23 omissions for a period of six months from the date of Notice of Entry of this Order.

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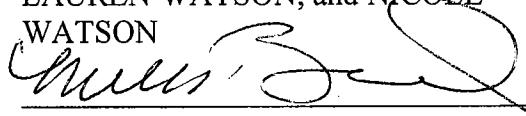
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1 IT IS SO STIPULATED.  
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Dated: 8-23-07

MARK MARTEL

MARK MARTEL  
Attorney for Plaintiffs  
DWIGHT WATSON, DANIEL FARIAS,  
LAUREN WATSON, and NICOLE  
WATSON



Dated: 8-27-07

MARK F. BERNAL  
Deputy County Counsel  
Attorneys for Defendant  
COUNTY OF SANTA CLARA

10 **ORDER**

11 Having considered the above Stipulation, and good cause appearing therefore, it is hereby  
12 ordered that (a) Defendant County of Santa Clara is dismissed without prejudice from Plaintiffs'  
13 First, Fourth, Sixth, Seventh, Eighth, and Ninth Causes of Action, with Plaintiffs and Defendant  
14 County of Santa Clara to bear their own costs and attorneys' fees as to those Causes of Action,  
15 and (b) the statute of limitations for Plaintiffs to bring a cause of action against the County for  
16 causes of action related to the County's involvement in SCCSET's acts and omissions is tolled for  
17 a period of six months from the date of Notice of Entry of this Order .

18 IT IS SO ORDERED.

19  
20 Dated: 9/13/07

Ronald M. Whyte

HONORABLE RONALD M. WHYTE  
United States District Judge